

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

PHILIP MORRIS USA INC. et al.,

Defendants.

Civil Action No. 99-2496 (PLF)

ORDER #131 – REMAND

For the reasons given in the Opinion issued this same day, it is hereby

ORDERED that Plaintiffs' Motion for Clarification Regarding the Application of Order #1015, As Amended, to HeatSticks Cigarettes [Dkt. No. 6325] is GRANTED; it is

FURTHER ORDERED that Order #1015 is clarified to provide that HeatSticks are "cigarettes" for the purpose of interpreting and applying Order #1015; it is

FURTHER ORDERED that Defendant's Opposition to Plaintiffs' Motion for Clarification and In the Alternative Motion to Modify Order #1015 [Dkt. No. 6334] is GRANTED in part and DENIED in part; and it is

FURTHER ORDERED that, as an exception to Paragraph III.A.4 of Order #1015 [Dkt. No. 5733], as modified and reinstated by Order #60 – Remand [Dkt. No. 6169], Altria and Philip Morris USA Inc. may convey a reduced-exposure claim on the packaging or in any other

promotional, informational or other material regarding HeatSticks cigarettes, provided that the Food and Drug Administration has issued an order under Section 911 of the Federal Food, Drug, and Cosmetic Act, 21 U.S.C. § 387k, authorizing the marketing of the HeatSticks cigarettes with such reduced-exposure claim.

SO ORDERED.


PAUL L. FRIEDMAN
United States District Judge

DATE:

7/14/23